

# Children's Justice Initiative

## CHIPS TO PERMANENCY TIMELINE

Ann Ahlstrom Last Revised: February 2010

Day	Event	Other
1	Child enters foster care	Except for a child in placement due solely to the child's disability, if child is in voluntary placement a CHIPS petition must be filed 90 days after placement; permanency time clock for voluntary placement starts to run at 60 days after placement. <i>Minn. Stat. § 260C.141 subd. 2; MRJPP 44.02</i>
3	Emergency Protective Care Hearing	If child is removed involuntarily, CHIPS petition is filed within 72 hours. <sup>1</sup> <i>Minn. Stat. § 260C.176 MRJPP 33.05</i> requires petition to be filed at or prior to EPC hearing. <sup>2</sup>
3-13	Admit/Deny Hearing	If ICWA case, service must take place 10 days prior to hearing; tribe may request up to 20 more days. <i>25 U.S.C. § 1912; MRJPP 34.02, subd 1 (d)</i> . Scheduling order must issue at or within 15 days of this hearing. <i>MRJPP 6.02</i>
30 Month 1	Out of Home Placement Plan filed	Court may approve plan based on contents of CHIPS petition, and implementation of approved plan may be basis for reasonable efforts determination. <i>Minn. Stat. § 260C.178, subd. 7; MRJPP 37.02, subd. 4</i>
14-53	Pretrial Hearing	Must be held at least 10 days prior to trial. <i>MRJPP 36</i> .
63, but not later than day 93 Month 2-3	Trial	CHIPS matters come to trial by day 63; county attorney determines whether criminal or juvenile case proceeds first in cases of egregious harm. <i>Minn. Stat. § 260C.301, subd. 3(a); MRJPP 39.02 subd. 1 (d)</i>
78 or within 15 days of conclusion of testimony (10 days if child is under 8)	Findings/Adjudication/Disposition	To extent practicable, court enters disposition same day as finding child in need of protection or services; <i>MRJPP 41.02</i> . Court may extend total time for findings to 30 days under if in the interests of justice and best interests of child. <i>MRJPP 39.05</i> ; See also last paragraph of <i>Minn. Stat. § 260C.201, subd. 1(b)</i>
168-178, and at least every 90 days as long as child is in foster care until there is permanency order Months 4 to 6 Months 6 to 12, as appropriate	Review Hearings	At any review hearing: 1. Child may be returned home if parent has made progress on case plan and mitigated unsafe conditions to the point home is safe for the child; or 2. If parent is not making significant progress on case plan, agency can move to permanency. Hearings review parent(s) progress on case plan, afford an opportunity to correct problems with services, and address barriers to reunification; also afford opportunity to ensure parent knows consequences to both parent and child of failure to comply with case plan. <i>MRJPP 41.06, subd. 2</i>
180 Month 6	Permanency Progress Review for children under 8 addresses: 1. parent's progress on case plan and visitation; 2. agency's service provision	If permanent removal of the child appears to be appropriate: • TPR must be filed within 30 days; trial on TPR 90 days after petition filed; • TPLPC must be filed within 30 days; trial on TPLPC 30 days after pleadings. <i>Minn. Stat. § 260C.201 subd. 11a; MRJPP 42.03</i>
335 Month 11	Permanency Pleadings filed	Permanency petition filed by month 11. <i>MRJPP 42.01, subd. 1(b), and 42.04, subd 2; see also Minn. Stat. § 260C.201, subd. 11</i>
365 Month 12	Admit/Deny Hearing	Finding required regarding whether the permanency petition states a prima facie case that the agency has made reasonable efforts to reunify the child with the parent. <i>MRJPP 34.03; Minn. Stat. § 260C.201, subd. 11</i>
Not later than 425 Month 14	Trial	Trial, if any, must commence within 60 days of admit/deny hearing. <i>MRJPP 39.02; Minn. Stat. 260C.201, subd. 11(a) and (c)</i>
Within 15 days of conclusion of testimony	Permanency Order issued by court <sup>3</sup>	Court permitted to extend the time 15 days if the court finds an extension of time is required in the interests of justice and the best interests of the child. <i>MRJPP 39.05, subd. 1</i>

### Required Court Reviews Post-Permanency Order

If TPLPC is ordered, Juvenile Court jurisdiction ends unless retained under Minn. Stat. § 260C.201, subd. 11, and MRJPP 42.05, subd. 2 (b)	If TPR is ordered, court hearing at least every 90 days to review progress towards adoption. <i>Minn. Stat. § 260C.317, subd. 3; MRJPP subd. 1</i>	If long-term foster care is ordered, court hearing at least once per year to ensure child's needs being met; if placement disrupts, return to court sooner. <i>MRJPP 43.04, subd. 3</i>
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<sup>1</sup> 72 hours excludes Saturdays, Sundays, holidays, and the day of the removal. *MRJPP 4.01*

<sup>2</sup> Diligent efforts to locate both parents of child are required as soon as the child enters foster care; relative search and consideration of placement with relatives occur as early as possible. *Minn. Stat. § 260C.212, subd. 4 and 5*

<sup>3</sup> If child returned home at permanency hearing, the court may order a trial home visit under *Minn. Stat. § 260C.201 subd. 1 (a) (3)* or may modify the disposition to "protective supervision" under *Minn. Stat. § 260C.201 subd. 1(a)(1)* and may continue court jurisdiction as long as necessary to ensure child's safety, health and well-being. When the court orders protective supervision, court hearings must be held at least every 6 months.